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EXHIBIT 3
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HB 168

MADISON COUNTY
OFFICE OF SHERIFF/CORONER

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Fax Cover Sheet

TO: HOUSE JUDICIARY COMMITTEE

FROM: Roger Thompson

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MESSAGE:

LETTER OF SUPPORT FOR

HB 168

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Madison County DUI Task Force

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House Judiciary Committee regarding HB168

There is a growing body of scientific evidence which demonstrates drugged driving to be a leading cause of traffic crashes, injuries, and fatalities. Montana is the second highest state with known Marijuana use in fatal crashes which is an unenviable ranking. Only Alaska has a higher known level of Marijuana involvement in fatal crashes. The percentage of Marijuana use in Montana passenger vehicle drivers in fatal crashes from 2006-2009 showed an increasing trend. When driver blood is tested in a fatal crash, the major classes of drugs identified are narcotics, depressants, stimulants, and Marijuana. For Montana drivers, Marijuana is the most often identified drug. More than half of the drugs identified in blood tests of drivers from 2005-2009 was Marijuana. The National Highway Traffic Safety Administration (NHTSA) estimates a value of a life lost in a traffic fatality at \$6.1 million. In 2009 there were 28 drivers in Montana that were Marijuana impaired, resulting in a total of 32 fatalities. If you accept this \$6.1 million estimate per life lost, the economic loss is about \$195 million. The loss of 99 lives related to drivers impaired by Marijuana in Montana from 2007-2009 is estimated at over \$600 million. This is no minor problem. Marijuana use continues to grow with the advent of medical Marijuana laws and legalization in other states.

Operation of a motor vehicle while under the influence of cannabis is already a criminal offense in all 50 states, however, no current tests are established to help determine a level in the bloodstream that would support the proof of driving under the influence of this drug. Per se laws for alcohol exist and have been proven successful as will per se Marijuana laws. In addition, with the *per se* standard, drivers will have another concern to consider in that they must abstain from use of illegal drugs before getting behind the wheel of a car or face the risk of a "Drugged Driving" conviction.

Montana has numerous roads and highways open to all to use. Everyone takes the safety of others into their hands when they use our roadways. There is no more safety sensitive common activity than driving a motor vehicle as Montana's fatality rate demonstrates every year. Conviction of drugged drivers is not the only positive outcome of establishing *per se* statutes. Enforcing these effective drugged driving laws will create a major new path to substance abuse treatment just the way drunk driving law enforcement has established a path to treatment for people with alcohol-related problems.

(Information from NHTSA, Institute for Behavior & Health, Montana Marijuana Use of Passenger Vehicle and Motorcycle Drivers in Fatal Motor Vehicle Crashes, 2009)

We support all legislation that works towards decreasing DUI's; HB168 is another step towards these goals.

Madison County DUI Task Force

Undersheriff Roger Thompson
Madison County DUI Task Force Chair